

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Marcus T. Drayton,

Petitioner,

v.

The State of South Carolina, The County
of Richland Fifth Circuit Solicitors
Office,

Respondents.

C/A No. 0:22-cv-1990-JFA-PJG

ORDER

Marcus T. Drayton (“Petitioner”), proceeding pro se, is self-represented state pretrial detainee. He filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Previously, on August 22, 2022, the court dismissed this action for failure to prosecute pursuant to Rule 41 after Petitioner failed to respond to instructions from the Magistrate Judge. (ECF No. 21). Shortly thereafter, Petitioner submitted the requested documentation along with a letter explaining that his failure to respond was caused by a transfer followed by a quarantine period. (ECF No. 24). Therefore, Petitioner requests that the court allow him to proceed in this action.

Given Petitioner’s attestation that he was in transit during the period in which he was ordered to respond, the court finds it prudent to vacate its prior order dismissing this action. (ECF No. 21). Thus, this case is to be returned to active statue and referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

August 30, 2022
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge